



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kurt RYF et al.

Serial No. 09/879,187

Filed: June 13, 2001

For: FUNCTIONAL HIGH-ENERGETIC
MATERIAL

Art Unit: 3641

Examiner: E. Miller

Atty. Docket No. 39021-172671

Customer No.

26694

PATENT TRADEMARK OFFICE

STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ATTENTION: Mail Stop Petition

Sir:

Please immediately advise the undersigned of the present status of the above-identified patent.

On May 19, 1994 a paper was filed in view of U.S. Patent and Trademark Office [hereinafter "PTO"] paper dated May 6, 2004, in which the PTO held the application abandoned, on the grounds that the November 21, 2003 Applicants' paper was non-responsive (hereinafter "November 2003 paper"). In Applicants' view, the holding of abandonment in this case is *contra* the mandate of 35 U.S.C. §132.

In the applicants' view, the statute provides that an application can be allowed [35 U.S.C. 131] or "rejected" and "reexamined". [35 U.S.C. 132] Accordingly, applicants request allowance and/or examination.

Please immediately advise the undersigned of the status of the
above-identified application..

Date:

Sept 1 2004



Marina V. Schneller
(Registration No. 26,032)
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 962-8300

DC2/548248